

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

)	Civil Case No. 1:20-CV-00734-BKS-DJS
DAPHNE RICHARD, ET AL.)	
)	
Plaintiff,)	DEFENDANT GLENS FALLS’ NOTICE
v.)	OF MOTION TO DISMISS
)	COMPLAINT PURSUANT TO
GLENS FALLS NATIONAL BANK,)	FED. R. CIV. P. 12(b)(6) AND MOTION
)	TO STRIKE PURSUANT TO FED. R.
Defendant.)	CIV. P. 12(f)
)	Return Date: November 5, 2020

PLEASE TAKE NOTICE that, upon: (1) the Declaration of Peter Lareau in Support of Defendant Glens Falls National Bank and Trust Company’s (“Glens Falls”) Motion to Dismiss Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Motion to Strike Pursuant to Federal Rule of Civil Procedure 12(f), dated September 30, 2020, and the exhibit annexed thereto; and (2) Glens Falls’ Memorandum of Law in Support of its Motion to Dismiss the Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(6) and Motion to Strike Pursuant to Federal Rule of Civil Procedure 12(f), dated September 30, 2020, and the exhibit annexed thereto; and upon all papers and proceedings heretofore had herein, Defendant Glens Falls will move this Court, on November 5, 2020, before the Honorable Brenda K. Sannes at the Federal Building & Courthouse, Syracuse, New York, 13261-7367, for an order (1) dismissing Plaintiff’s Complaint in its entirety with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(6), and/or (2) striking certain immaterial and impertinent allegations in the Complaint pursuant to Federal Rule of Civil Procedure 12(f).

Dated: September 30, 2020

Respectfully Submitted,

THOMPSON COBURN LLP

By: /s/ Lukasz Sosnicki

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National Bank*

CERTIFICATE OF SERVICE

I hereby certify that September 30, 2020, a true and correct copy of the foregoing was filed with the Clerk of Court, to be served via the Court's ECF system on all counsel of record.

/s/ Dana M. Hass

Dana M. Hass